

10/563123

IAP20 RECEIVED PTO 03 JAN 2006

Docket No.: OMY-0051
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yoichiro Terasawa

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: INFORMATION PROCESSING
APPARATUS, SOFTWARE UPDATING
SYSTEM, METHOD OF UPDATING
SOFTWARE AND PROGRAM THEREOF

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith on Form PTO-1449 or PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 or PTO/SB/08 be returned in accordance with MPEP §609.

☒ A copy of each listed document is being submitted to comply with the provisions of 37 CFR §§1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

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Concise Explanation of Relevancy of the Document

- ☒ Documents have been cited in a communication from a foreign patent office in a counterpart foreign application or international application, or its related application. A copy of the communication is attached hereto, accompanied by English translation of at least relevant part, if it is not in English. English translation of the document is not readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted document (37 C.F.R. §1.98 and MPEP §609).
- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date or within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in compliance with 37 C.F.R. §1.97(b), OR is being filed concurrent with filing of the Continued Prosecution Application (CPA) or the Request for Continued Examination (RCE). No fee is required (37 C.F.R. §1.97(b)).

Dated: January 3, 2006

Respectfully submitted,

By 

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	Not Yet Assigned 10/563123
				Filing Date	Concurrently Herewith
				First Named Inventor	Yoichiro Terasawa
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	OMY-0051

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	JP-2002-259128-A	09-13-2002	Tsubasa System Co., Ltd.		√
	BB	JP-2001-325221-A	11-22-2001	Vertex Software KK		√
	BC	JP-2001-337835-A	12-07-2001	Hitachi Ltd. et al.		√
	BD	JP-09-128220-A	05-16-1997	Nippon Kaihatsu Ginkou		√
	BE	JP-63-126032-A	05-30-1988	Hitachi Ltd.		
	BF	JP-2000-259519-A	09-22-2000	Toshiba Corp.		√
	BG	JP-10-301760-A	11-13-1998	Toshiba Corp.		√
	BH	JP-2000-194614-A	07-14-2000	Mitsubishi Electric Corp.		√
	BI	JP-2001-325107-A	11-22-2001	NTT Comware Corp.		√
	BJ	JP-07-129407-A	05-19-1995	Nippon Denki Joho Service KK		√
	BK	JP-63-109559-A	05-14-1988	NEC Corp.		
	BL	JP-2000-285051-A	10-13-2000	Japan Research Institute Ltd.		√
	BM	JP-64-018835-A	01-23-1989	NEC Corp.		
	BN	JP-10-091407-A	04-10-1998	Cybermedia Inc.		√
	BO	JP-10-091453-A	04-10-1998	Ricoh Co., Ltd.		√
	BP	JP-10-171635-A	06-26-1998	NTT Data Tsushin KK		√
	BQ	JP-2002-007333-A	01-11-2002	Fujitsu Ltd.		√
	BR	JP-2003-202988-A	07-18-2003	NEC Corp.		√
	BS	JP-2004-102922-A	04-02-2004	Toshiba Solutions Corp.		√

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	International Search Report of PCT/JP03/14265 mailed on 2/17/2004	
	CB	International Search Report of PCT/JP2004/006752 mailed on 6/29/2004	
	CC	Web page "Technology of providing "virtual racks" for storing patch files (i.e. a package of RPM) obtained from any server storing patch files and Qwanty DB that registers license numbers where each of the numbers has a corresponding URL, then applies a patch automatically to an user server is disclosed in the printed copy of website first made public on the Internet as of August 8, 2003, http://web.archive.org/web.20030808052157/http://www.qloc.net/engine/engine... , 2 sheets,	

Examiner Signature		Date Considered	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	OMY-0051
Sheet	2	of	2		

		Qloc. net (10/2005)	
	CD	Web page "Technology of having a list showing URLs on the website for obtaining the latest version of individual software downloaded in a user computer displayed to a registered user who are provided with a designated area of Vector server at a "softwatch" page of MyVector is described in the printed copy of website first made public on the Internet as of September 5, 2001" http://my.vector.co.jp/magazine/010905/sp01_01.html , 2 sheets, MyVector (10/2005)	
	CE	Information Materials "An idea of storing a combination of patch files in a "virtual rack" after an operator checking on its performance before automatically applying thereof to the modules is disclosed in page 4 and 5 of the printed copy of website first made public on the Internet as of November 20, 2003, 13 sheets, Qwantly Corporation	
	CF	Office Action mailed on 10/25/05	
	CG	International Search Report mailed on 6/29/2004	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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